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APPLICATION NUMBER	FILING or 371(c) DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	TOT CLAIMS	IND CLAIMS
10/812,642	03/30/2004	1635	770	NEX87/C2	18	3

**CONFIRMATION NO. 5220**

25871  
SWANSON & BRATSCHUN, L.L.C.  
8210 SOUTHPARK TERRACE  
LITTLETON, CO 80120

**CORRECTED FILING RECEIPT**



\*OC000000029131555\*

Date Mailed: 03/31/2008

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Filing Receipt Corrections. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections

**Applicant(s)**

Nikos Pagratis, Boulder, CO;  
Michael Lochrie, Louisville, CO;  
Larry Gold, Boulder, CO;

**Power of Attorney:**

Thomas Bratschun--32966  
Barry Swanson--33215  
Margaret Wolf--33462  
Diane Cruz--33960  
Rosemary Kellogg--33726

Practitioners associated with Customer No. 25871

**Domestic Priority data as claimed by applicant**

This application is a CON of 09/791,301 02/23/2001 PAT 6,713,616  
which is a CON of 09/363,939 07/29/1999 PAT 6,346,611  
which is a CIP of 09/046,247 03/23/1998 PAT 6,124,449  
which is a CIP of 08/458,424 06/02/1995 PAT 5,731,424  
which is a CIP of 07/714,131 06/10/1991 PAT 5,475,096  
and is a CIP of 07/931,473 08/17/1992 PAT 5,270,163  
and is a CIP of 07/964,624 10/21/1992 PAT 5,496,938  
and is a CIP of 08/117,991 09/08/1993 ABN  
and said 07/714,131 06/10/1991  
is a CIP of 07/536,428 06/11/1990 ABN  
and said 09/363,939 07/29/1999  
is a CIP of 08/434,465 05/04/1995 PAT 6,011,020

## **Foreign Applications**

**If Required, Foreign Filing License Granted:** 05/07/2004

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 10/812,642**

**Projected Publication Date:** Not Applicable

**Non-Publication Request:** No

**Early Publication Request:** No

### **Title**

High affinity TGFbeta nucleic acid ligands and inhibitors

### **Preliminary Class**

435

## **PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

**LICENSE FOR FOREIGN FILING UNDER**  
**Title 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT:	PAGRATIS <i>et al.</i>	)	EXAMINER:	VIVLEMORE, T. A.
SERIAL NO.:	10/812,642	)	ART UNIT:	1635
FILED:	MARCH 30, 2004	)	CONF. NO.	5220
TITLE:	HIGH AFFINITY TGF $\beta$ NUCLEIC ACID LIGANDS AND INHIBITORS	)		

Mail Stop \_\_\_\_\_  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450  
Attn.: Office of Initial Patent Examination's  
Filing Receipt Corrections

**REQUEST FOR CORRECTION OF FILING RECEIPT**

Dear Sir:

The Applicant hereby requests that the filing receipt be corrected to reflect that a Power of Attorney has been filed to Customer No. 25871. A copy of the Power of Attorney filed on November 4, 2004 is enclosed for your ease of reference along with a marked-up copy of the Filing receipt.

Respectfully submitted,

Date April 4, 2008

/Rosemary Kellogg/  
Rosemary Kellogg, #39,726  
Swanson & Bratschun, L.L.C.  
8210 SouthPark Terrace  
Littleton, Colorado 80120  
Telephone: (303) 268-0066  
Facsimile: (303) 268-0065

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT:	PAGRATIS ET AL.	}	EXAMINER:
SERIAL NO.:	10/812,642		ART UNIT: 1634
FILED:	MARCH 30, 2004		CONF NO: 5220
TITLE:	HIGH AFFINITY TGF $\beta$ NUCLEIC ACID LIGANDS AND INHIBITORS		

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**SUBMISSION OF STATEMENT UNDER 3.73(b) AND POWER OF ATTORNEY**

The applicant hereby submits a Statement Under 37 CFR 3.73(b) and a Power of Attorney.

It is believed that there are no fees due in this instance. However, should this belief be in error, the undersigned hereby authorizes the charge of any required fees to be charged to deposit account No. 19-5117.

Respectfully submitted,



Darla G. Yoerg, #48,053  
Swanson & Bratschun, L.L.C.  
1745 Shea Center Drive, Suite 330  
Highlands Ranch, Colorado 80129  
Telephone: (303) 268-0066  
Facsimile: (303) 268-0065

Date: November 4, 2004

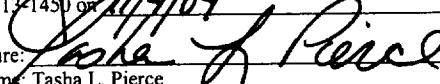
cc: J. Harre, V. Appleby (via email only), W. Schmonsees  
S:\CLIENTFOLDERS\GILEAD\FORMERLY NEXSTAR\NEX87\C2\SUBMISSION 373 POA.DOC

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37 CFR 1.8

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
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Signature:   
Name: Tasha L. Pierce

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**POWER OF ATTORNEY  
and  
CORRESPONDENCE ADDRESS  
INDICATION FORM**

Application Number	10812642
Filing Date	March 30, 2004
First Named Inventor	Pagratis
Title	High Affinity TGF $\beta$ Nucleic Acid Ligands and Inhibitors
Art Unit	1634
Examiner Name	
Attorney Docket Number	NEX87/C2

I hereby appoint:

 Practitioners associated with the Customer Number:

25871

OR

 Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

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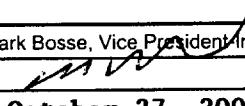
OR

 The address associated with Customer Number:

OR

<input type="checkbox"/>	Firm or Individual Name			
Address				
Address				
City		State	Zip	
Country				
Telephone	Fax			

I am the:

 Applicant/Inventor. Assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)**SIGNATURE of Applicant or Assignee of Record**Name Mark Bosse, Vice President Intellectual Property, Gilead Sciences, Inc.Signature Date October 27, 2004

Telephone (650) 574-3000

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

 \*Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

### STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Gilead Sciences, Inc.

Application No./Patent No.: 10/812,642 Filed/Issue Date: March 30, 2004

Entitled: High Affinity TGFBETA Nucleic Acid Ligands and Inhibitors

Gilead Sciences, Inc., a Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 014806, Frame 0594, or for which a copy thereof is attached.

**OR**

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: Inventors Pagratis, Lochrie and Gold To: Nexstar Pharmaceuticals, Inc.  
The document was recorded in the United States Patent and Trademark Office at Reel 010302, Frame 0253, or for which a copy thereof is attached.
2. From: Nexstar Pharmaceuticals, Inc. To: Gilead Sciences, Inc.  
The document was recorded in the United States Patent and Trademark Office at Reel 014806, Frame 0594, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

Additional documents in the chain of title are listed on a supplemental sheet.

Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

October 27, 2004

Mark Bosse

Date

Typed or printed name

650 574 3000

Telephone number

Signature

Vice President, Intellectual Property

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete. Any comments including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**DATE:** November 4, 2004  
**APPLICANT:** PAGRATIS ET AL.  
**SERIAL NO.:** 10/812,642  
**TITLE:** HIGH AFFINITY TGF $\beta$  NUCLEIC ACID LIGANDS  
AND INHIBITORS  
**RECEIPT IS HEREBY ACKNOWLEDGED OF:**  
Submission Of Statement Under 3.73(B) And Power Of Attorney: 1 pg  
Statement Under 37 CFR 3.73(b): 1 pg  
Power of Attorney: 1 pg

Docket No. NEX87/C2  
S:\ClientFolders\Gilead (formerly NeXstar)\Nex87\C\2\Card Receipt.doc